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Secretariat

Law Department

Notification

L. D. 38/65

The Gold (Control) Act, 1965 passed by the Central Government is hereby published for the general information.

Kant Desai, Under Secretary.

Panjim, 18th October, 1965.

The Gold (Control) Act, 1965

An Act to provide, in the economic and financial interests of the community, for the control of the production, supply, distribution, use and possession of, and business in, gold and ornaments and other articles of gold and for matters connected therewith.

Enacted by Parliament in the Sixteenth Year of the Republic of India as follows: —

CHAPTER I

Preliminary

1. Short title, extent, application and commencement. — (1) This Act may be called the Gold (Control) Act, 1965.

(2) It extends to the whole of India and it applies also to citizens of India outside India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions. — In this Act, unless the context otherwise requires, —

(a) "Administrator" means the Administrator appointed under section 18;

(b) "company" means any company as defined in section 3 of the Companies Act, 1956;

1 of 1956

(c) "certified goldsmith" means a dealer who holds a valid certificate granted or deemed to be granted under section 13 recognising him as a goldsmith;

(d) "dealer" means any person who carries on, directly or otherwise, the business of —

(1) making, manufacturing, preparing, buying, selling, supplying, distributing, melting, processing or converting ornaments;

(2) buying, selling, supplying or distributing gold for the purpose of making, manufacturing or preparing ornaments;

(3) melting, processing or converting gold for the purpose of making, manufacturing or preparing ornaments, whether for cash or for deferred payment, or for commission, remuneration or other valuable consideration, and includes —

(a) an undivided Hindu family which carries on such business;

(b) a local authority, company, society registered under the Societies Registration Act, 1860, co-operative society registered under any law with respect to co-operative societies, club, firm or other association which carries on such business, or

(i) buys ornaments, or gold for the purpose of making ornaments, from, or

(ii) makes or manufactures ornaments for,

(iii) processes, melts or converts ornaments, or gold for the purpose of making ornaments, for

(iv) sells, supplies or distributes ornaments, or gold for the purpose of making ornaments, to,

its members; and

(c) a commission agent, broker, *del credere* agent, auctioneer or other mercantile agent, by whatever name called, who carries on such business on behalf of any principal;

but does not include the Reserve Bank of India, the State Bank of India, any subsidiary bank as defined in clause (k) of section 2 of the State Bank of India (Subsidiary Banks) Act, 1959, or any banking company as defined in clause (c) of section 5 of the Banking Companies Act, 1949, in so far as such bank sells or transfers or exhibits for sale or transfer any gold.

Explanation.—For the purposes of this Act—

(a) every person who acts as an agent of a dealer residing outside India and carries on the business of such dealer in India or acts on behalf of such dealer as—

(i) a mercantile agent as defined in the Sale of Goods Act, 1930; or

(ii) an agent for handling gold or documents of title relating to gold; or

(iii) an agent for the collection or payment of sale price of gold or as a guarantor for such collection or payment; and

(b) every branch in India of a firm or company having its registered office outside India, shall be deemed to be a dealer;

(c) “gold” means gold, including its alloy, whether virgin, melted, re-melted, wrought or unwrought in any shape or form, of a purity of not less than nine carats and includes any gold coin (whether legal tender or not), any ornament and any other article of gold;

(f) “ornament” means any article in a finished form, meant for personal adornment or for the adornment of any idol, deity or any other object of religious worship, made of, or manufactured from, gold, whether or not set with stones or gems, real or artificial, or with pearls, real, cultured or imitation or with all or any of them and includes parts, pendants or broken pieces of ornaments;

(g) “prescribed” means prescribed by rules made under this Act;

(h) “primary gold” means gold in any unfinished form and includes all ingots, bars, blocks, slabs, billets, shots, pellets, rods and wires;

(i) “refiner” means the owner or occupier of a refinery;

(j) “refinery” means a place where gold is melted, assayed, refined, alloyed or subjected to any other process for the purpose of making primary gold and includes a place where gold is assayed at the request of any dealer or other person, whether for the purpose of making primary gold or not, but does not include any place used by a dealer for the purposes permitted under clause (d).

CHAPTER II

Control of Business in Gold

3. **Prohibition of manufacture of articles of gold in certain cases.**—(1) Subject to the other provisions of this Act,—

(a) a dealer shall not make, manufacture or prepare—

(i) any article of gold other than ornament, or

(ii) any article containing gold of any purity;

(b) a refiner shall not make, manufacture or prepare—

(i) any article of gold other than primary gold, or

(ii) any article containing gold of any purity; and

(c) any other person shall not make, manufacture or prepare any article of gold or any article containing gold of any purity,

unless such dealer, refiner or other person is, on an application made by him in this behalf (which shall be accompanied by such fee as the Administrator may by direction specify and different fees may be specified for different classes of cases), authorised by the Administrator, by general or special order, to make, manufacture or prepare such article; and in granting such authorisation, the Administrator may, by the order aforesaid, also require such dealers, refiners or other persons or any class of them to pay such charges for supervision by the Administrator as may be specified in such order.

(2) A certified goldsmith may, and no other dealer shall, accept any ornament having gold of a purity exceeding fourteen carats for polishing or repair

(3) A dealer (including a certified goldsmith) shall not accept any ornament having gold of any purity for the purpose of making, manufacturing or preparing new ornament or ornaments having gold of a purity not exceeding fourteen carats:

Provided that a certified goldsmith may, in accordance with the provisions of section 13, accept any ornament having gold of a purity exceeding fourteen carats for the purpose of making, manufacturing or preparing new ornaments having gold of a purity exceeding fourteen carats.

4. **Restrictions on the making, etc., of ornaments and other articles of gold.**—(1) Save as provided in section 13,—

(a) no dealer, whether licensed under, this Act or not, shall—

(i) make, manufacture or prepare, or

(ii) sell or otherwise transfer, agree to sell or otherwise transfer, or expose or offer for sale or transfer, and

- (b) no person shall place any order with any dealer, whether licensed under this Act or not, for the making, manufacture or preparation of,

any ornament having gold of a purity exceeding fourteen carats.

- (2) No person shall make or manufacture any article of gold of a purity exceeding fourteen carats: Provided that —

(i) any refiner may, if authorised by the Administrator to do so by general or special order, make, manufacture or have in his possession, custody or control any primary gold containing gold of a purity exceeding fourteen carats, and

(ii) any refiner or dealer who as such refiner or dealer acquires or comes into the possession of any primary gold, or ornament or other article of gold, of a purity exceeding fourteen carats under any provision of this Act shall convert that gold, ornament or article into gold of a purity not exceeding fourteen carats within such period as the Administrator may by general or special order grant.

- (3) Notwithstanding anything contained in sub-section (1) or sub-section (2), the Administrator may by general or special order permit any person to make, manufacture or prepare any ornament, or other article of gold, of a purity exceeding fourteen carats subject to such conditions (including conditions as to the payment of any fee or charges for supervision) and restrictions as may be specified in the order.

- (4) Every person who makes, manufactures or sells any primary gold shall, unless the Administrator by notification in the Official Gazette otherwise directs, put a stamp on each piece of primary gold, —

(i) certifying the purity of gold contained in such primary gold and the date of making or manufacturing thereof; and

(ii) containing such descriptive and other particulars which may enable the identification of the maker or manufacturer of such primary gold, as may be prescribed.

- (5) No stamp referred to in sub-section (4) shall be used in stamping any primary gold unless such stamp has been approved and registered by the Administrator.

5. Restrictions on possession and sale of gold.—(1) Except in the case of any quantity of gold acquired after the date of making any return under this Act, no dealer, and no refiner, who is licensed under this Act, shall have in his possession or under his control any gold which has not been included in such return:

Provided that any gold acquired after the date of making such return shall be included in the next succeeding return.

- (2) Save as otherwise provided in this Act, —

(a) a refiner may sell or deliver gold only to a dealer licensed under this Act in accordance with the conditions and restrictions, if any, contained in the dealer's licence but shall not sell or deliver gold to any other person:

Provided that a refiner may sell gold to any person on production by that person of a permit

granted by the Administrator in this behalf or to such other person as the Administrator may, by general or special order, authorise in this behalf.

(b) a dealer licensed under this Act may, in accordance with the conditions and restrictions, if any, contained in his licence, buy or otherwise acquire, or agree to buy or otherwise acquire, gold, not being ornament, only from a dealer, or refiner, licensed under this Act but not from any other person:

Provided that any such dealer may buy or otherwise acquire or accept gold, not being ornament, from any person if such gold has been included in a declaration made by that person under Part XIII A of the Defence of India Rules, 1962, or under section 16, or if in respect of such gold no such declaration is required and the dealer complies with the provisions of sub-section (3);

(c) a dealer licensed under this Act may, in accordance with the conditions and restrictions, if any, contained in his licence —

(i) sell or otherwise transfer, or agree to sell or otherwise transfer, or

(ii) expose or offer for sale or transfer,

gold, not being ornament, only to a dealer, or refiner, licensed under this Act but not to any other person:

Provided that a dealer licensed under this Act may sell gold, not being ornament, to any person on production by that person of a permit granted by the Administrator in this behalf;

(d) a person other than a dealer licensed under this Act shall not buy or agree to buy or otherwise acquire or agree to acquire gold, not being ornament, except in accordance with a permit granted by the Administrator or in accordance with such authorisation as the Administrator may, by general or special order, make in this behalf, nor shall he otherwise acquire or agree to acquire such gold except by succession, intestate or testamentary:

Provided that a refiner may buy or accept gold from a dealer licensed under this Act;

(e) a person acquiring gold in accordance with any general or special authorisation made by the Administrator shall not —

(i) sell or otherwise transfer, or agree to sell or otherwise transfer, or

(ii) expose or offer for sale or transfer,

such gold to any person other than a person authorised by the Administrator by general or special order in this behalf.

(3) Any gold (other than ornament) which is not required to be declared under this Act may be sold or otherwise transferred or hypothecated, pledged, mortgaged or charged but the person to or with whom such gold is sold or otherwise transferred or hypothecated, pledged, mortgaged or charged shall give to such officer as may be authorised by the Administrator in this behalf, intimation thereof in such form and manner and within such period as may be prescribed.

6. Prohibition of loans on hypothecation of gold. —

- (1) No person shall make, advance or grant any loan

to any other person on the hypothecation, pledge, mortgage or charge of any gold other than ornament unless the person making, advancing or granting the loan gives intimation thereof in accordance with sub-section (3) of section 5 or unless such gold has been included, if so required, in a declaration or a further declaration made under Part XIA of the Defence of India Rules, 1962, or under section 16.

(2) No person who is a dealer, whether licensed or not, shall —

(a) carry on business as a dealer in the same premises in which he or any other person carries on business as a moneylender or banker involving the hypothecation, pledged, mortgage or charge of any gold,

(b) (i) sell or otherwise transfer to any person any gold on the hypothecation, pledge, mortgage or charge of which he has advanced any loan, whether before or after the 10th day of January, 1963, or

(ii) return such gold to the borrower, whether before or after the repayment of the loan,

except under and in accordance with such conditions, limitations or restrictions, if any, as may be imposed by the Administrator in this behalf.

(3) No pawnee who is not a dealer shall sell any gold pledged with him, on the failure of the pawnor to redeem such gold, except in accordance with such conditions as may be prescribed.

CHAPTER III

Licensing of Dealers and refiners and certification of goldsmiths

7. Licensing of dealers. — (1) Save as otherwise provided in this Act, no dealer who is registered under any law with respect to sales tax shall carry on business as such dealer unless he holds a valid licence issued in this behalf by the Administrator.

(2) A licence issued under sub-section (1) may contain such conditions and restrictions as the Administrator may think fit to impose and different conditions and restrictions may be imposed for different classes of dealers.

(3) Every dealer who is registered under any law with respect to sales tax shall, as soon as possible after such registration and in any case before the expiry of sixty days thereafter, make to the Administrator an application in such form and on payment of such fee as may be prescribed, for the issue of a licence under this section.

(4) Any dealer who is not required to be registered under any law with respect to sales tax may, if he likes, also make to the Administrator an application in accordance with the foregoing provisions for the issue of a licence under this section and any licence issued in pursuance of such application may contain such conditions and restrictions as the Administrator may think fit to impose and different conditions and restrictions may be imposed for different classes of applicants.

(5) Nothing in the foregoing provisions of this section shall be deemed to prohibit any dealer who is required to apply for a licence under this section from carrying on his business as such dealer for the period within which he is required to apply for such

licence and if he has applied for such licence, until he is granted a licence or is, by a notice in writing, informed by the Administrator that a licence cannot be granted to him.

(6) On the receipt of an application for the issue of a licence under this section, the Administrator may, after making such inquiry, if any, as he may consider necessary, by order in writing either grant the licence or reject the application for the same.

Provided that no application for the issue of a licence made by a dealer registered under any law with respect to sales tax whether before or after the commencement of this Act shall be rejected unless the Administrator is satisfied that any statements made in the application for the issue of the licence are incorrect or false in material particulars or that the applicant for the licence has contravened any of the provisions of this Act or the provisions of any other law for the time being in force in so far as it prohibits or restricts the bringing into or taking out of India of any goods (including coins, currency, whether Indian or foreign, and foreign exchange), or the dealings in such goods by way of acquisition or otherwise and unless the applicant for the licence has been given a reasonable opportunity of showing cause against such rejection.

(7) A licence granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fee as may be prescribed and the provisions of this section relating to the first issue of a licence shall apply as far as may be in relation to such renewal.

(8) In the case of any dealer who immediately before the date of coming into force of this Act was licensed as a dealer under Part XIA of the Defence of India Rules, 1962, the provisions for the application of a licence shall not apply and the licence of such dealer may be renewed on the expiration thereof in accordance with the provisions contained hereinbefore.

8. Licensing of refiners. — (1) Save as otherwise provided in this Act, no person shall carry on business as a refiner unless he holds a valid licence issued in this behalf by the Administrator.

(2) A licence issued under sub-section (1) may contain such conditions and restrictions as the Administrator may think fit to impose and different conditions and restrictions may be imposed for different classes of refiners.

(3) Every person who intends to carry on business as a refiner may, if he had a refinery in existence immediately before the 10th day of January, 1963, make to the Administrator an application in such form and on payment of such fee as may be prescribed, for the issue of a licence under sub-section (1).

(4) A person to whom a licence to carry on business as a refiner is issued under sub-section (1) shall not carry on business as such refiner in the same premises in which he or any other person carries on business as a dealer or business as a money-lender or banker involving the hypothecation, pledge, mortgage or charge of any gold.

(5) Notwithstanding anything contained in sub-section (1), a refiner who has made an application

under sub-section (3) for the issue of a licence to carry on business, may carry on business as a refiner, pending the grant of a licence unless he is, by a notice in writing, informed by the Administrator that the application has been rejected.

(6) No person shall establish any refinery unless he has obtained a valid licence from the Administrator on an application in accordance with the foregoing provisions for the issue of a licence under this section.

(7) On the receipt of an application for the issue of a licence under this section, the Administrator may, after making such inquiry, if any, as he may consider necessary, by order in writing either grant the licence or reject the application for the same:

Provided that no application for the issue of a licence made by a refiner shall be granted unless the Administrator is satisfied having regard to—

(a) the number of refineries existing in the area in which the applicant intends to carry on business as a refiner,

(b) the demand for primary gold in that area,

(c) the facilities existing in that area for the assay of gold by any method other than the touch-stone method,

(d) the turnover of the applicant during the year immediately before the 10th January, 1963, or immediately before the date of the application for the issue of the licence, whichever is later,

(e) the suitability or otherwise of the applicant, and

(f) the public interest,

that the licence applied for should be granted:

Provided further that no application for the issue of a licence made by a refiner shall be rejected unless the applicant has been given a reasonable opportunity of showing cause against such rejection.

(8) A licence granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fee as may be prescribed and the provisions of this section relating to the first issue of a licence shall apply as far as may be in relation to such renewal.

(9) In the case of any refiner who immediately before the date of coming into force of this Act was licensed as a refiner under Part XIIA of the Defence of India Rules, 1962, the provisions for the application of a licence shall not apply and the licence of such refiner may be renewed on the expiration thereof in accordance with the provisions contained hereinbefore.

9. Cancellation of licences by Administrator.—A licence granted under section 7 or section 8 may be cancelled by the Administrator if he is satisfied that any statements made in the application for the issue of the licence or in relation to the licence are incorrect or false in material particulars or that the holder of the licence has contravened any of the provisions of this Act or the provisions of any other law for the time being in force in so far as it prohibits or restricts the bringing into or taking out of India of any goods (including coins, currency, whether Indian or foreign, and foreign exchange), or the dealings in such goods by way of acquisition or otherwise:

Provided that no licence shall be cancelled unless reasonable opportunity has been given to the holder thereof to show cause why the licence shall not be cancelled.

10. Cancellation of licence on application by dealer or refiner.—A dealer who ceases to be registered under any law with respect to sales tax or who discontinues his business in gold or a refiner who discontinues his business as such may make an application to the Administrator for cancellation of his licence as dealer or refiner, as the case may be, and thereupon the Administrator may cancel his licence.

11. Disposal of gold in the possession of dealers or refiners in certain cases.—A dealer who, being required by section 7 to make an application for a licence, has failed to do so within the period specified therefor or whose application for the issue of a licence has been rejected or whose licence has been cancelled or a refiner whose application for the issue of a licence under section 8 has been rejected or whose licence has been cancelled shall not, after the expiry of that period or after such rejection or cancellation, as the case may be, carry on his business and shall, within thirty days from the date of such expiry, rejection or cancellation, sell or otherwise transfer to any dealer or refiner licensed under this Act the entire quantity of gold including ornaments, in his possession on the date of such expiry, rejection or cancellation and send intimation thereof to the Administrator.

12. Display of licences.—Every dealer and every refiner who is licensed under this Act shall display his licence at a conspicuous place of the premises in which the business of such dealer is carried on or the premises in which the refinery is located.

13. Certified goldsmiths.—(1) A dealer who is not required by sub-section (3) of section 7 to make an application for the issue of a licence under that section and has not obtained any licence in pursuance of an application made by him under sub-section (4) of that section and who does not employ more than one hired labourer in actually making, manufacturing or preparing any ornament and is not himself in the employment of another dealer may, if he was carrying on business as a dealer for more than a year immediately before the 10th day of January, 1963,—

(a) accept from any person, not being a refiner or a certified goldsmith or other dealer, any ornament or ornaments having gold of a purity exceeding fourteen carats for the purpose of making, manufacturing or preparing, and

(b) make, manufacture or prepare,

new ornament or ornaments from that ornament or those ornaments subject to such restrictions relating to the purity and weight of gold contained in the new ornament or ornaments as may be prescribed.

(2) No such dealer shall after the commencement of this Act accept any such ornament or ornaments for the purpose of making manufacturing or preparing new ornament or ornaments as aforesaid, unless he has before such commencement obtained under Part XIIA of the Defence of India Rules, 1962, a certificate recognising him as a goldsmith:

Provided that if the Administrator considers it necessary in the public interest so to do, he may, on

application made to him in this behalf by a dealer, grant to him a certificate recognising him as a goldsmith in such form and on payment of such fee as may be prescribed.

(3) A certificate granted under Part XIIA of the Defence of India Rules, 1962, shall, unless the context otherwise requires, be deemed for the purposes of this Act to be a certificate granted under this section.

(4) A certificate granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fee as may be prescribed.

(5) A certificate granted under this section may be cancelled by the Administrator —

(i) if the certified goldsmith is, at any time after the grant of the certificate to him, registered under any law with respect to sales tax, or

(ii) on an application made to the Administrator for such cancellation by the certified goldsmith who ceases to work as a goldsmith, or

(iii) if the Administrator is satisfied that any statements made in the application for the issue of the certificate or in relation to the certificate are incorrect or false in material particulars or that the holder of the certificate has contravened any of the provisions of this Act:

Provided that no certificate shall be cancelled under clause (i) or clause (iii), unless reasonable opportunity has been given to the holder thereof to show cause why the certificate shall not be cancelled.

(6) Every certified goldsmith shall have in his possession the certificate granted to him while he carries on business as such goldsmith and shall produce it for inspection on demand by any officer authorised by the Administrator in this behalf.

(7) Notwithstanding anything contained in section 4, a certified goldsmith may have in his possession, custody or control primary gold of a purity exceeding fourteen carats by melting or processing or converting any ornament which has been accepted by him under this section for making, manufacturing or preparing new ornament or ornaments:

Provided that a certified goldsmith shall not have at any time in his possession, custody or control any quantity of such primary gold in excess of one hundred and fifty grammes obtained in the process of making, manufacturing, or preparing new ornament or ornaments.

(8) A dealer who may, in accordance with the provisions of this section, accept any ornament or ornaments having gold of a purity exceeding fourteen carats for the purpose of making, manufacturing or preparing new ornament or ornaments having gold of a purity exceeding fourteen carats, may send to any other such dealer who possesses equipments for drawing wires or casting dies, or who is a specialist in stone setting, enamelling or polishing, —

(a) the ornament or ornaments so accepted, whether before or after melting, for the purpose of drawing wires or casting dies; or

(b) where new ornament or ornaments have been made, manufactured or prepared out of the ornament or ornaments so accepted, such new ornament or ornaments for setting stones, enamelling or polishing;

and such other dealer shall, after drawing wires or casting dies or, as the case may be, after setting stones, enamelling or polishing, return them to the dealer from whom they were received.

14. Registration and certification of dealers not falling under section 7 or 13. — (1) No dealer who has not obtained a licence under section 7 or a certificate under section 13 shall carry on business as a dealer unless he has been registered and possesses a certificate.

(2) Every such dealer shall make an application for the grant of a certificate within such time, in such form and on payment of such fee as may be prescribed.

(3) If the Administrator is satisfied that an application for registration is in order, he shall, in accordance with such rules as may be prescribed, register the applicant and grant him a certificate of registration in the prescribed form:

Provided that no application for the grant of a certificate of registration shall be rejected unless the applicant has been given a reasonable opportunity of showing cause against such rejection.

(4) A certificate granted under this section shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fee as may be prescribed, and the provisions of this section relating to the first issue of a certificate shall apply as far as may be in relation to such renewal.

(5) The provisions of sections 9, 10, 11 and 12 shall, as far as may be, apply to a dealer registered under this section as they apply to a dealer licensed under section 7.

(6) Nothing in this section shall be deemed to prohibit any dealer who has been registered under this section from applying at any time for a licence under section 7 if he likes to do so and on his being licensed under section 7, the registration certificate issued to him under this section shall be cancelled.

15. Special provision regarding public religious institutions. — (1) Notwithstanding anything contained in Chapter II and the foregoing provisions of this Chapter, any public religious institution such as a temple, mutt, church, mosque, gurdwara or any other place of public religious worship, not being a dealer or refiner licensed under this Act, may receive gold of an purity in any form as offering.

(2) Any such institution —

(a) may retain the gold in the form in which it is received as offering so long as it is used exclusively for the purposes of the institution;

(b) shall not convert any gold in its possession into gold of a purity exceeding fourteen carats or make, manufacture or prepare ornament or any other article of gold of a purity exceeding fourteen carats unless such institution has been authorised by the Administrator by general or special order subject to such conditions as may be laid down, to do so;

(c) shall not sell or otherwise transfer gold in any form in its possession unless such gold has been converted into gold of a purity not exceeding fourteen carats and unless, in the case of gold other than ornament, the sale or trans-

fer is to a dealer or refiner licensed under this Act;

(d) shall maintain such accounts and submit such returns as to the quantity, description and other particulars of gold possessed, received, sold or otherwise transferred by it, as may be prescribed.

(3) The person in charge of the management of any such institution shall be responsible for anything done or omitted to be done under this section.

CHAPTER IV

Declaration of Gold

16. Declaration as to possession of gold other than ornament. — (1) If any person who has made a declaration as to gold other than ornaments owned by him under Part XIA of the Defence of India Rules, 1962, acquires by succession, intestate or testamentary, or in accordance with a permit granted by the Administrator, or parts with, after such declaration any quantity of gold, not being ornament, he shall, as often as he acquires or parts with any quantity of gold, make within thirty days from the date of such acquisition or parting with, a further declaration to the Administrator in the prescribed form stating the quantity, description and other prescribed particulars of such gold acquired with by him and giving the prescribed particulars of the person from whom such gold was acquired or in whose favour such gold was parted with, as the case may be.

(2) If any person who did not own any gold, not being ornament, at any time during the period commencing on the 10th January, 1963, and ending with the 9th February, 1963, acquires, after the expiry of that period by succession, intestate or testamentary, or in accordance with a permit granted by the Administrator any quantity of gold, not being ornament, he shall, within thirty days from the date of such acquisition, make a declaration to the Administrator in the prescribed form stating the quantity, description and other prescribed particulars of such gold owned by him on the date of such declaration.

(3) If any person who has made a declaration under sub-section (2) acquires by succession, intestate or testamentary, or in accordance with a permit granted by the Administrator, or parts with, any quantity of gold, not being ornament, he shall, as often as he acquires or parts with any quantity of gold, make within thirty days from the date of such acquisition or parting with a further declaration to the Administrator in the prescribed form stating the quantity, description and other prescribed particulars of such gold acquired or parted with by him and giving the prescribed particulars of the person from whom such gold was acquired or in whose favour such gold was parted with, as the case may be.

(4) For the removal of doubt, it is hereby declared that a declaration referred to in this section and section 17 shall be made —

(a) in the case of gold belonging to a minor or a lunatic, by the guardian or manager of such minor or lunatic, as the case may be;

(b) in the case of gold belonging to an idol or a deity, by the manager of such idol or deity, whether known as *shebait* or manager or by any other name;

(c) in the case of gold belonging to a person whose properties are under the management of a Court of Wards, by the manager of such Court;

(d) in the case of gold belonging to a person whose properties are under the management of any administrator or receiver, by such administrator or receiver;

(e) in the case of gold vested in an executor or an administrator of a will or other testamentary disposition, by such executor or administrator;

(f) in the case of gold belonging to the members of a firm, by any partner of such firm;

(g) in the case of gold belonging to an undivided Hindu family, by the head or *karta* of such family;

(h) in the case of gold which is the subject matter of any public or private trust, by a trustee of such trust;

(i) in the case of gold belonging to a company incorporated outside India, by any person in charge of the management of such company in India;

(j) in the case of gold belonging to a temple, mutt, church, mosque or any other religious institution by the person in charge of the management of such temple, mutt, church, mosque or other religious institution;

(k) in the case of gold which is wakf property, by the mutawalli of such wakf;

(l) in the case of gold belonging to any society, club or other association, by the secretary or manager of such society, club or other association.

(5) No person who is required to make a declaration as to gold other than ornament owned by him under the Defence of India Rules, 1962, or this section or exempted from making such declaration under the said Rules or sub-section (6) of this section shall, after the commencement of this Act, acquire any gold other than ornament except —

(a) by succession, intestate or testamentary, or

(b) in accordance with a permit granted by the Administrator in this behalf.

(6) No declaration or further declaration shall be required to be made under the foregoing provisions of this section in respect of —

(c) any gold, whether contained in one or more pieces, owned by a minor unless the weight of such gold exceeds twenty grammes;

(b) any gold, whether contained in one or more pieces, owned by an individual other than a minor unless the weight of such gold exceeds fifty grammes;

(c) any gold, whether contained in one or more pieces, referred in clauses (b) to (l) of sub-section (4) unless the weight of such gold exceeds fifty grammes:

Provided that no declaration or further declaration as aforesaid shall be required in respect of any gold owned by a family if the total weight of such gold whether contained in one or more pieces and whether owned by a member of the family severally or by all the members jointly or partly in the one way and partly in the other, does not exceed one hundred and fifty grammes:

Provided further that where the Central Government is of the opinion that it is necessary so to do for carrying out the purposes of this Act, the Government may at any time, by general or special order, require that in respect of any gold not required to be

declared under clause (a) or clause (b) or clause (c) or under the foregoing proviso, a declaration or further declaration as to the quantity, description and other prescribed particulars of or relating to such gold shall be made to the Administrator by such person and in such form and manner and within such time as may be prescribed.

Explanation.—For the purposes of this sub-section and section 17, the expression «family» shall be deemed to consist of—

(i) the husband, wife and one or more minor children, or

(ii) any two or more of them,

but shall not be deemed to include any other person.

(7) Any person in possession or control of any gold, not being ornament, shall be presumed, until the contrary is proved, to be the owner thereof.

17. Declaration as to possession of ornaments. —

(1) Where the Central Government is of the opinion that it is necessary so to do for carrying out the purposes of this Act, that Government may at any time, by general or special order, require that any person or class of persons owing ornaments shall, within such period as may be specified in the said order, make a declaration to the Administrator in the prescribed form as to the quantity, description and other prescribed particulars of the ornaments owned by such person or each person in that class:

Provided that it shall not be necessary to make any such declaration where the value, calculated in the prescribed manner, of the ornaments does not exceed —

(a) where such ornaments are owned by a person, twentyfive thousand rupees;

(b) where such ornaments are owned by a family, fifty thousand rupees.

Explanation.—For the purposes of this section, any person in possession or control of any ornament shall be presumed, until the contrary is proved, to be the owner thereof.

(2) If any person who has made a declaration under sub-section (1) acquires or parts with any ornament after such declaration, he shall, as often as he acquires or parts with any ornament, make within thirty days from the date of such acquisition or parting with a further declaration to the Administrator in the prescribed form stating the quantity, description and other prescribed particulars of such ornament acquired or parted with by him and giving the prescribed particulars of the person from whom such ornament was acquired or in whose favour such ornament was parted with, as the case may be.

(3) If any person who, at any time during the period within which the declaration referred to in sub-section (1) is to be made, does not own any ornament, or owns ornaments not exceeding in quantity or value such limit as may be specified by the Central Government under sub-section (1), acquires thereafter any ornament or ornaments so as to exceed such limit, he shall within thirty days from the date the limit is exceeded, make a declaration to the Administrator in the prescribed form stating the quantity, description and other prescribed particulars of such ornament or ornaments owned by him on the date of such declaration.

(4) If any person who has made a declaration under sub-section (3) acquires or parts with any quantity of ornaments, he shall as often as he acquires or parts with any quantity of ornaments, make, within thirty days from the date of such acquisition or parting with, a further declaration to the Administrator as provided in subsection (2).

CHAPTER IV

Administrator

18. Appointment and functions of Administrator. —

(1) The Central Government shall, by notification in the Official Gazette, appoint an Administrator for carrying out the purposes of this Act.

(2) The Administrator shall discharge his functions subject to the general control and directions of the Central Government.

(3) The Administrator may by general or special order authorise such person (including any officer or authority subordinate to a State Government) as he thinks fit to exercise all or any of the powers exercisable by him under this Act and different persons may be authorised to exercise different powers:

Provided that no officer below the rank of Collector of Customs or Central Excise or Collector of a district shall be authorised to hear appeals under sub-section (2) of section 30.

(4) Subject to any general or special direction given or condition attached by the Administrator, any person authorised by the Administrator to exercise any powers may exercise those powers in the same manner and with the same effect as if they had been conferred on that person directly by this Act and not by way of authorisation.

CHAPTER VI

Returns and accounts

19. Returns as to gold. — Dealers (including certified goldsmiths) and refiners, shall furnish to the Administrator such returns as to the quantity description and other prescribed particulars of gold in their possession or under their control in such form and within such time as may be prescribed, and different returns may be prescribed for different classes of dealers or refiners.

20. Accounts. — (1) Dealers (including certified goldsmiths) and refiners, shall keep such accounts and in such form and manner as may be prescribed of the gold held, bought or sold or otherwise received or disposed of by them, in respect of each transaction and different accounts may be prescribed for different classes of dealers or refiners.

(2) Every such dealer, certified goldsmith and refiner shall, if so required by the Administrator, —

(a) produce before the Administrator any account, register or other document, and

(b) furnish to the Administrator any information relating to the quantity of gold in his possession or under his control or to the purchase, sale or delivery of gold by him.

(3) All accounts, registers and other documents, relating to any quantity of gold or to the purchase, sale or delivery thereof and any gold in the posses-

sion or under the control of the dealer, refiner or certified goldsmith, wherever kept, shall be open to inspection by any person authorised by the Administrator in this behalf.

CHAPTER VII

Miscellaneous provisions

21. Power of Administrator to issue directions and orders.— (1) The Administrator may, if he thinks fit, issue directions or orders, not inconsistent with this Act, for carrying out the purposes of this Act.

(2) The Administrator, so far as it appears to him to be necessary or expedient for securing the equitable distribution and availability at fair prices of gold and ornaments, may by order published in the Official Gazette, —

(a) regulate the prices at which any gold or ornament may be bought or sold by any dealer or refiner; and

(b) regulate by licences, permits or otherwise, the distribution, transport, disposal, acquisition, possession, use or consumption of gold by dealers or refiners or other persons.

22. Persons permitted to buy gold to observe conditions.— Any person authorised by the Administrator by general or special order, or holding a permit issued by the Administrator, for buying or otherwise acquiring gold shall observe such conditions, be subject to such restrictions and furnish such accounts or returns, or both, to the Administrator, as may be prescribed.

23. Prohibition of use of buildings for carrying on unlicensed refinery.— No person, —

(a) being the owner, lessor or landlord of any premises or the agent of such owner, lessor or landlord, shall let the same or any part thereof with the knowledge that the same or part thereof is intended to be used as a refinery or wilfully allow any person to use such premises or any part thereof as a refinery unless the refiner has been licensed under this Act; or

(b) being the tenant, lessee or occupier or any person in charge of any premises, shall use or allow any person to use such premises or any part thereof as a refinery unless the refiner has been licensed under this Act.

24. Transfer or transmission of business.— Where the business of a dealer licensed or registered under this Act or a refinery is transferred by sale, gift, bequest or otherwise or is transmitted by inheritance or is transferred by way of lease, the transferee, heir or lessee shall not carry on such business or run the refinery either in his own name or in some other name unless the transferee, heir or lessee has, before the expiry of sixty days after the date of such transfer or transmission, made to the Administrator an application for the issue of a licence or certificate of registration in accordance with the provisions of section 7 or section 8 or section 14:

Provided that nothing in this section shall be deemed to prohibit the transferee, heir or lessee from carrying on business as a dealer or refiner for the period within which he is required to apply for such licence or registration and if he has applied for such licence or registration, until he is granted the licence

or certificate of registration or is, by a notice in writing, informed by the Administrator that such licence or certificate cannot be granted to him.

25. Secrecy and fidelity.— (1) All particulars contained in any return or declaration made or accounts, registers or other documents produced in accordance with this Act shall, save as otherwise provided in sub-section (4), be treated as confidential, and notwithstanding anything contained in the Indian Evidence Act, 1872, no court shall be entitled to require the Administrator or any person authorised by the Administrator under this Act or any officer or other employee of the Government to produce before it any such return, declaration, accounts, registers or other documents or any part thereof or to give evidence before it in respect thereof.

(2) Any person authorised by the Administrator under this Act and any other person discharging any functions in the implementation of the provisions of this Act shall not divulge any information relating to any particulars contained in any return or declaration made to, or any accounts, registers or other documents produced before, or inspected by, the Administrator or any such person.

(3) The Administrator or any gazetted officer authorised by him in this behalf may request any officer of Government to furnish any information relating to any particulars contained in any return or declaration made to, or any accounts, registers or other documents produced before or inspected by such officer of Government under the provisions of any law if, in the opinion of the Administrator or the gazetted officer aforesaid, such information is necessary for the implementation of the provisions of this Act; and when such request is made, the officer of Government shall comply with such request notwithstanding the provisions of any such law forbidding the furnishing of such information.

(4) Nothing in this section shall apply to and in relation to the disclosure of any of the particulars referred to in sub-section (1) or sub-section (2) —

(a) for the purposes of any prosecution for any offence, or

(b) to any officer or other employee of Government where it is necessary to make such disclosure to such officer or other employee for the purposes of this Act or of any other law.

26. Power to enter, search and seize, to obtain information and to take samples.— (1) Any officer authorised by the Administrator in this behalf may—

(a) enter and search the establishment of a dealer or any refinery;

(b) seize any gold in respect of which he suspects that any provision of this Act has been, or is being, or is about to be, contravened, along with the package, covering or receptacle, if any, in which such gold is found;

(c) seize any books of account, return or any other document relating to any gold in respect of which he suspects that any provision of this Act has been, or is being, or is about to be, contravened.

(2) Any officer authorised by the Central Government in this behalf may —

(a) enter and search any premises, not being a refinery or establishment referred to in sub-section (1), vaults, lockers or any other place whether above or below ground;

(b) seize any gold in respect of which he suspects that any provision of this Act has been, or is being, or is about to be contravened, along with the package, covering or receptacle, if any, in which such gold is found;

(c) seize any books of account, return or any other document relating to any gold in respect of which he suspects that any provision of this Act has been, or is being, or is about to be, contravened.

(3) Any officer authorised by the Administrator in this behalf may search any person if that officer has reason to believe that such person has secreted about his person —

(a) any gold in respect of which such officer suspects that any provision of this Act has been, or is being, or is about to be contravened,

(b) any document relating to such gold,

and seize any such gold or document in his possession.

(4) When any such officer as aforesaid is about to search the person referred to in sub-section (3), he shall, if such person so requires, take such person to the nearest gazetted officer authorised by the Administrator or to the nearest magistrate.

(5) Any officer authorised by the Administrator in this behalf may, if he suspects that any person has contravened, or is contravening or is about to contravene any provision of this Act, detain such person and take him to a gazetted officer authorised by the Administrator or to a magistrate for a search of his person and seizure of any such gold or document as is referred to in sub-section (3).

(6) A gazetted officer or magistrate before whom any person is brought shall, if he sees no reasonable ground for search, forthwith discharge the person but otherwise shall direct that search be made.

(7) No female shall be searched by any one excepting a female.

(8) Any officer authorised by the Administrator in this behalf may, if he has reason to believe that any person has contravened, or is contravening or is about to contravene, any provision of this Act, arrest such person and shall as soon as possible inform him of the grounds for such arrest and shall take such arrested person to the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

(9) Any officer who has arrested any person under this section shall, for the purpose of releasing such person on bail or otherwise, have the same powers and be subject to the same provisions as the officer-in-charge of a police station has and is subject to under the Code of Criminal Procedure, 1898.

5 of 1898.

(10) Any officer authorised by the Administrator in this behalf may, if he has reason to believe that

any aircraft, vehicle or animal or any vessel is being, or is about to be, used for carrying any gold in respect of which he suspects that any provision of this Act has been, or is being, or is about to be, contravened, at any time stop any such vehicle, animal or vessel or, in the case of an aircraft, compel it to land, and

(a) rummage and search any part of the aircraft, vehicle or vessel;

(b) examine and search any goods in the aircraft, vehicle, vessel or on the animal;

(c) seize any such gold as is referred to above and any books of account or other document relating to such gold;

(d) break open the lock of any door or package for exercising the powers conferred by clauses (a), (b) and (c), if keys are withheld;

(e) if it becomes necessary to stop any such aircraft, vehicle or animal or vessel, he may use all lawful means for stopping it, and where such means fail, the aircraft, vehicle, vessel or animal may be fired upon.

(11) The provisions of the Code of Criminal Procedure, 1898, relating to search 5 of 1898. and seizure shall, so far as they are applicable, apply in relation to search and seizure made under this section.

(12) The Administrator shall have power —

(a) to take samples of gold from any dealer, refiner or other person in such manner as may be prescribed;

(b) to send such sample for assay or analysis to such authority as may be prescribed and to require such authority to send a report to the Administrator as a result of the assay or analysis.

(13) Where at the time of arrest of any person or seizure of any gold, document or other goods in the possession of any person, such person makes a statement to the officer making such arrest or seizure, that officer shall on demand by such person furnish him with a copy of the statement.

Explanation. — Any reference to gold in this section and in sections 29 and 30 shall, unless the context otherwise requires, include any article containing gold of any purity, referred to in sub-section (1) of section 3.

27. Power to hold inquiry and to call for information. — (1) Any gazetted officer authorised by the Administrator in this behalf may hold an inquiry for the purpose of ascertaining whether any contravention of any of the provisions of this Act has been, is being, or is about to be, committed and shall for the purposes of such inquiry have power to summon any person whose attendance he considers necessary either to give evidence or to produce any document or other thing.

(2) The Administrator may call for information from any person for the purpose of ascertaining whether or not there has been any contravention of any of the provisions of this Act.

28. Confiscation of conveyances. — (1) The following conveyances shall be liable to seizure and confiscation: —

(a) any vessel which is or has been within the Indian waters, any aircraft which is or has

been in India or any vehicle which is or has been in any area in India, while constructed, adapted, altered or fitted in any manner for the purpose of concealing gold;

(b) any conveyance from which the whole or any part of gold is thrown over-board, staved or destroyed so as to prevent seizure by any officer authorised by the Administrator;

(c) any conveyance which having been required to stop or land under sub-section (10) of section 26 fails to do so, except for good and sufficient cause;

(d) any conveyance from which any gold cleared for exportation is unloaded without the permission of the officer authorised by the Administrator in this behalf;

(e) any conveyance carrying imported gold which has entered India and is afterwards found with the whole or substantial portion of such gold missing, unless the master of the vessel or aircraft is able to account for the loss of, or deficiency in, the gold.

(2) Any conveyance or animal used as a means of transport or in the carriage of any gold in respect of which any provision of this Act has been, or is being or is about to be, contravened, shall be liable to seizure and confiscation, unless the owner of the conveyance or animal proves that it was so used without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the conveyance or animal and that each of them had taken all such precautions against such use as are for the time being specified in the rules made in this behalf by the Central Government.

Provided that where any such conveyance or animal is used for the carriage of goods or passengers for hire, the owner of the conveyance or animal shall be given an option to pay in lieu of confiscation of the conveyance or animal, a fine not exceeding the value of such conveyance or animal.

29. Confiscation of gold seized and imposition of penalty.—(1) Any gold seized under section 26 together with the package, covering or receptacle, if any, in which such gold is found shall be liable to confiscation.

(2) Any person who in relation to any gold does or omits to do any act which act or omission would render such gold liable to confiscation under sub-section (1), or abets the doing or omission of such an act shall be liable, in addition to any liability for punishment under this Act, to a penalty not exceeding five times the value of the gold or one thousand rupees, whichever is more, irrespective of whether such gold has been confiscated.

30. Adjudication, appeal and revision.—(1) The confiscation fine or penalty under section 28, section 29, proviso to sub-section (3) of section 31 or sub-section (8) of this section or under any rule made under this Act may be adjudged—

(a) without limit, by an officer not below the rank of Deputy Collector of Customs or Central Excise;

(b) where the value of conveyance or animal or gold or all of them together with the package, covering or receptacle, if any, in which such gold is found, liable to confiscation does not exceed ten thousand rupees, or where the fine or penalty proposed to be imposed does not

exceed two thousand rupees, by an officer not below the rank of Assistant Collector of Customs or Central Excise or by any other officer of the Central Government or a State Government authorised by the Central Government in this behalf;

Provided that no order of adjudication of confiscation, fine or penalty shall be made unless the owner of the conveyance, animal or gold or other person concerned—

(i) is given a notice in writing informing him of the grounds on which it is proposed to confiscate such conveyance, animal or gold or to impose a penalty;

(ii) is given an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds of confiscation or imposition of penalty mentioned therein; and

(iii) is given a reasonable opportunity of being heard in the matter:

Provided further that the notice referred to in clause (i), and the representation referred to in clause (ii), of the foregoing proviso may, at the request of the owner or other person concerned, be oral:

Provided also that where no such notice is given within a period of six months of the seizure of the conveyance, animal or gold or such further period as the Collector of Customs or Central Excise may specify, such conveyance, animal or gold shall be returned after the expiry of that period to the person from whose possession it was seized.

(2) An appeal shall lie to the Administrator—

(a) from every order of adjudication of confiscation, fine or penalty under sub-section (1),

(b) from any other decision or order passed by an officer not above the rank of Collector of Customs or Central Excise,

within a period of three months from the date of the communication of the order or decision.

(3) Every person adjudicating under this section and the Administrator hearing any appeal under sub-section (2) shall have all the powers of a civil court under the Code of Civil Procedure, 1908, while 5 of 1908, trying a suit in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of any document;

(c) requisitioning any public record or copy thereof from any court of office;

(d) receiving evidence on affidavits; and

(e) issuing commissions for the examination of witnesses or documents.

(4) Every person adjudicating under this section and the Administrator hearing any appeal shall be deemed to be a civil court for the purposes of section 480 and 482 of the Code of Criminal Procedure, 1893.

5 of 1908.

(5) The Administrator may, of his own motion, call for and examine the record of any proceeding in which any order of adjudication of confiscation,

fine or penalty, or any other decision or order, referred to in clause (b) of sub-section (2), has been made, but no appeal against such order or decision has been preferred under that sub-section, for the purpose of satisfying himself as to the legality or propriety of any such order or decision and may pass such order thereon as he thinks fit:

Provided that no order enhancing any penalty or fine in lieu of confiscation shall be passed under this provision unless the person affected by the proposed order has been given a reasonable opportunity of showing cause against it:

Provided further that no order shall be passed by the Administrator under this sub-section after the expiry of two years from the date of the order or decision referred to in sub-section (2).

(6) The Central Government may, of its own motion or on application made by any person aggrieved by an order passed on appeal under sub-section (2) or on revision under sub-section (5) within six months from the date of communication of such order, call for and examine the record of any proceeding in which such order has been passed on appeal or revision for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order thereon as the Central Government thinks fit.

(7) Notwithstanding anything contained in any other law —

(a) any order passed by the Central Government in revision,

(b) subject to such order of the Government, any order passed on appeal or revision under sub-section (2) or sub-section (5), and

(c) subject to the final order of the Central Government in revision and the order on appeal or revision under sub-section (2) or sub-section (5) any order of adjudication of confiscation, fine or penalty, or any other decision or order referred to in clause (b) of sub-section (2),

shall be final and shall not be called in question in any court except on a question of law.

(8) Whenever confiscation of any gold or conveyance or animal is authorised by this Act, the officer adjudging it may give to the owner thereof an option to pay in lieu of confiscation such fine as the said officer thinks fit:

Provided that, without prejudice to the provisions of the proviso to sub-section (2) of section 28, such fine shall not exceed the value of such gold, conveyance or animal.

(9) For the removal of doubt it is hereby declared that the payment of fine in lieu of confiscation under sub-section (8) shall not prevent the infliction of any punishment to which the person affected is liable under the provisions of this Act.

31. Penalties. — (1) Whoever fails or omits to make any return as required by section 15 or 19 or any declaration including a further declaration as required by section 16 or 17 without any reasonable cause, or makes any statement in such return or declaration which is false and which he either knows or believes to be false or does not believe to be true, shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(2) Whoever,—

(i) refines, processes, melts, converts, deals or makes, manufactures or prepares any article of gold in contravention of any provision of this Act,

(ii) has in his possession or under his control any quantity of gold in contravention of any provision of this Act,

(iii) sells or otherwise transfers or agrees to sell or transfer, or exposes or offers for sale or transfer, or delivers or otherwise parts with, any gold in contravention of any provision of this Act,

(iv) buys, or otherwise acquires, or accepts gold in contravention of any provision of this Act,

(v) allows any person to use any premises or any parts thereof as a refinery in contravention of any provision of this Act,

(vi) makes, manufactures or prepares, or places any order for the making, or the manufacture or preparation of, sells or otherwise transfers or agrees to sell or transfer, or exposes or offers for sale or transfer any ornament or any primary gold in contravention of section 3 or section 4 or any other provision of this Act,

(vii) possesses, delivers, sells or otherwise transfer any gold in contravention of the provisions of section 5 or section 6,

(viii) carries on business as a dealer, refiner, banker or money-lender in contravention of the provisions of section 6, 7, 8 or 14,

(ix) carries on business as a certified goldsmith in contravention of the provisions of section 13,

(x) falsely stamps any primary gold with the intention of causing it to be believed that such primary gold contains gold of such purity as is mentioned in such stamp or sells or otherwise transfers, or agrees to sell or otherwise transfer or exposes or offers for sale or transfer any such falsely stamped primary gold,

(xi) makes or counterfeits any stamp intending that the same shall be used for the purpose of stamping any primary gold, knowing the same to be counterfeit, or uses any such counterfeit stamp,

shall be punishable with imprisonment for a term which may extend to two years and also with fine.

(3) Whoever contravenes any other provision of this Act for which no punishment is provided in the foregoing provisions of this section shall be punishable with imprisonment for a term which may extend to one month, or with fine, or with both:

Provided that —

(i) whoever fails or omits to keep or to produce any account or other document or to furnish any information when required to do so under any provision of this Act;

(ii) whoever fails or omits to display any licence as required by section 12,

shall be liable to a penalty not exceeding five hundred rupees to be adjudged under sub-section (1) of section 30.

32. Offences by companies. — (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to,

the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section —

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

33. **Limitation of prosecutions.** — No prosecution for any offence punishable under this Act shall be instituted against any person except by, or with the consent of, the Administrator or any person authorised by the Administrator in this behalf.

34. **Protection of action taken in good faith.** — (1) No suit, prosecution or other legal proceedings shall lie against the Central Government or the Administrator or any person, authorised by the Central Government or the Administrator, or performing any functions in the implementation of the provisions of this Act, for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or any rule or order made thereunder.

(2) No suit or other legal proceedings shall lie against the Central Government or the Administrator or any person, authorised by the Central Government or the Administrator, or performing any functions in the implementation of the provisions of this Act, for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or any rule or order made thereunder.

35. **Administrator, etc. to be public servants and application of certain provisions of Central Excises and Salt Act.** —

(1) The Administrator and any person authorised by him or the Central Government, and performing any functions in the implementation of this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

(2) The provisions of sections 11, 15 and 23 of the Central Excises and Salt Act, 1944, relating to —

1 of 1944.

(i) recovery of any sum payable to the Government, or

(ii) rendering of assistance by any officer of Police or Customs or Revenue, and
(iii) failure of any Central Excises Officer, on duty,

respectively, shall apply subject to such modifications and adaptations as may be specified by the Central Government by notification in the Official Gazette in regard to like matters under the provisions of this Act.

36. **Power to exempt.** — Where on the recommendation of the Administrator or otherwise the Central Government is of the opinion that it is necessary or expedient in the public interest so to do, it may, by order and subject to such conditions, if any, as it may specify in the order —

(a) exempt any dealer or any refiner or any other person from the operation of all or any of the provisions of this Act; and

(b) as often as may be, revoke any such order and again subject, by order any dealer or any refiner or any other person to the operation of such provisions.

37. **Effect of Act and rules, etc., inconsistent with other enactments.** — The provisions of this Act or any rules or orders made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

38. **Act not to apply to Government.** — Nothing in this Act shall apply to or in relation to —

(a) any gold belonging to, in the possession or under the control of, the Government,

(b) any refinery owned or occupied, or any business of a dealer carried on, by the Government.

39. **Government may perform functions and exercise powers of the Administrator.** — The Central Government may perform all or any of the functions of the Administrator and may, by notification in the Official Gazette, exercise all or any of the powers conferred by this Act on the Administrator, if that Government is of the opinion that it is necessary or expedient in the public interest so to do.

40. **Licensing of dealers in areas without sales tax-law.** — If in any territory there is no law with respect to sales tax in force, then, every dealer carrying on his business as such dealer in that territory, whose annual turnover is not less than ten thousand rupees, shall be required to be licensed in accordance with the provisions of this Act as if he were a dealer registered under law with respect to sales tax and accordingly all the provisions of this Act shall apply to such registered dealer.

41. **Presumption as to orders.** — Where an order purports to have been signed by any person authorised by the Administrator in this behalf in exercise of any power conferred by or under any provision of this Act, a court shall presume, within the meaning of the Indian Evidence Act, 1872, that such order was so made by that person. 1 of 1872.

42. Power to make rules. — (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without to the generality of the foregoing power, such rules may provide for —

(a) the additional particulars to be stamped on each piece of primary gold;

(b) the conditions subject to which a pawnee may sell gold pledged with him;

(c) the forms of applications for the grant or renewal of licences, permits and certificates under this Act and the fees payable in respect of such applications;

(d) the forms of such licences, permits and certificates;

(e) the procedure for registration of a dealer under section 14;

(f) the accounts to be maintained and the returns to be submitted by public religious institutions under section 15;

(g) the forms of declarations under sections 16 and 17 and the particulars regarding gold or persons from whom or in whose favour it was acquired or parted with, as the case may be;

(h) the forms in which, and the period within which, returns as to gold shall be submitted by dealers and refiners under section 19;

(i) the forms in which accounts shall be kept by dealers and refiners under section 20 and the manner of keeping such accounts;

(j) the conditions and restrictions subject to which persons may be permitted to buy gold and the accounts and returns to be furnished by such persons;

(k) the precautions to be taken against the use of any conveyance or animal as a means of transport or in the carriage of gold in contravention of the provisions of this Act;

(l) the fees payable in respect of appeals and applications for revision under this Act;

(m) the manner of publication of notices and orders under this Act;

(n) any other matter which has to be or may be prescribed.

(3) In making rules under this section, the Central Government may provide that any person committing any breach of any rule shall, where no other penalty is provided by this Act, be liable to a penalty not exceeding two thousand rupees.

(4) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

43. Repeal and savings. — (1) As from the commencement of this Act, the provisions of Part XIIA of the Defence of India Rules, 1962, shall stand repealed and upon such repeal, section 6 of the General Clauses Act, 1897, shall apply as if the said Part were a Central Act. 10 of 1897.

(2) Notwithstanding such repeal, but without prejudice to the application of section 6 of the General Clauses Act, 1897, anything done or any action taken (including any application made to, or any order made or licence issued by, the Gold Board, Administrator or other competent authority) under or in pursuance of the provisions of Part XIIA of the Defence of India Rules, 1962, shall, so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under or in pursuance of the corresponding provision of this Act. 10 of 1897.

CORRIGENDA

to

THE GOLD (CONTROL) BILL, 1965

(As passed by the Houses of Parliament)

1. Page (i), line 1 from bottom, —
for «provisions» read «provision»
2. Page 2, against line 1 from bottom, in the margin, —
for «of 1930» read «3 of 1930.»
3. Page 3, line 10, —
for «re-metlited» read «re-melted»
4. Page 4, line 4, —
for «orther» read «other»
5. Page 5, line 17, —
for «manufacturers» read «manufactures»
6. Page 12, line 1, —
for «purpose or» read «purpose of»
7. Page 14, line 2 from bottom, —
for «transefr» read «transfer»
8. Page 18, line 1 from bottom, —
after «shall» insert»,»
9. Page 23, line 13 from bottom, —
after «Act» for «.read»,»
10. Page 26, line 18, —
after «confiscation» insert»,»
11. Page 34, line 17, —
for «mod fied» read «modified»

New Delhi, September 20, 1965
Bhadra 29, 1887 (Saka)

Sr. No. N.º de série	Name of the evacuee Nome do evacuado	Description of property Descrição da propriedade	Locality Localidade
3.	Shri Jorge Anibal de Matos Sequeira.	One Bungalow and surrounding land situated at Altinho—Panjim registered in the «Conservatoria do Registo Predial» of Panjim under No. 17.215 fls. 158 Livro B 45 Novo and 191566 fls. 34 V. Livro — Registered on Matriz Predial under No. 1375. 2. Seven Borgward Diesel Trucks, Registered under Nos. IGA-67.77, IGA-67.78, IGA-72.35, IGA-72.86, IGA-72.87, IGA-65.62 and IGA-65.63 on the name of the Intercontinental (India) Ltda. 3. One Ferguson Agricultural Tractor. 4. Mining concession Gungurem Bela-Gall, Shirvalem, situated in Nirancal of Ponda, concession title no. 45 of 1-6-53. 5. Mining concession Chafericho Advo Dongor, situated in Govanem of Satari — concession title no. 12 dated 16-2-54. 6. Mining concession Gorbata ou Masatidevi Conicodil Mol, situated in Caman of Mina of Quepem. Concession no. 50 dated 19-12-56. 7. Fully paid and Demarcated claim Zambulpanto, situated in Calern Sanguem. 8. Fully paid and Demarcated Claim Gorgodem, situated in Matna and Pirla of Quepem and Sanguem, adjoining area to Concession no. 50 under item C. 9. Fully paid and demarcated claim Durga Soddo, situated in Costi of Sanguem etc. etc.	
4.	Mrs. Ludmila Fernandes.	One house (E-853) with compound.	Navi Ori, Nanní Daman.

Panjim, 6th November, 1966. — A. P. Agrawal, Custodian of Evacuee Property.

Pangim, 16 de Novembro de 1966. — A. P. Agrawal, Gestor da Propriedade dos Evacuados.

Planning and Development Department

Municipality of Goa

Central Department

Notice no. R. C. 17/1966

Anthony J. de Souza, President of Panjim Municipality.

I hereby make known that this Municipality, due to heavy and desorganised traffic of non-motorized vehicles and in order to protect traffic security, in its session dated 13th October 1966, approved the alterations mentioned infra to the Municipal Bye-Law dated 2nd January 1941, published in Government Gazette no. 14, series III, dated 2-4-1941, as per alinea a) and j) of no. 2 of article 501 of R. A. U., by editing the following:

BYE-LAW

Article 1—Within the area of the jurisdiction of Panjim Municipality, no bicycles, tricycles, hand-driven or cattle-pushed vehicles without previous registration and licence of the Municipality and without the respective payment of tax scheduled in Table no. 4 in force, will be allowed to transit; the breach of this will carry a fine equivalent to double the yearly tax;

Art. 2—At the time of registration, in case of bicycles and tricycles, besides the name of the owner, profession and residence, the mark and the number should be quoted, if and when these indications are available;

§ 1—For this purpose the bicycles or tricycles or other vehicles must be presented in the Municipal premises at the time of registration;

§ 2—Registrations with separate serial number will be done, being one for the hand-driven and cattle-pushed vehicles, and the other for velocipedes;

Art. 3—A metal badge quoting the number of registration and provided by the Municipality should be placed on the break or in a visible place of vehicles;

Art. 4—The velocipedes should be provided with a bell and with front and rear brakes in order to hold control over the vehicle; besides this each vehicle must be provided with a light in front and a stop light (red) at the rear;

Art. 5—The vehicles should be driven quite close to the footpath or drain. Under no circumstances they will pass in

Departamento de Planificação e Fomento

Câmara Municipal de Goa

Repartição dos Serviços Centrais

Editai n.º R. C. 17/1966

Anthony J. de Souza, Presidente da Câmara Municipal de Goa.

Faço saber que esta Câmara Municipal, tendo verificado um tráfico desorganizado dos veículos não motorizados e a bem de segurança do trânsito, aprovou, em sua sessão de 13 de Outubro último, as alterações infra indicadas à Postura Municipal de 2 de Janeiro de 1941, publicada no *Boletim Oficial* n.º 14, 3.ª série, de 2-4-1941, ao abrigo do disposto nas alíneas a) e j) do n.º 2.º do artigo 501.º da R. A. U., editando a seguinte:

POSTURA

Artigo 1.º—Na área da jurisdição da Câmara Municipal de Goa, não poderão circular bicicletas ou tricicletas e veículos de tracção manual e animal, sem prévia matrícula e licença da mesma Câmara e sem pagar a respectiva taxa da Tabela n.º 4 em vigor, sob pena de multa de dobro da respectiva taxa de um ano.

Art. 2.º—Na matrícula, tratando-se de bicicletas e tricicletas, indicar-se-á, além de nome, profissão e residência do possuidor, a marca da fábrica e bem assim o respectivo número, sempre que estas indicações existam.

§ 1.º—Para esse fim as bicicletas ou tricicletas ou outros veículos de tracção manual e animal, serão apresentados no átrio da Câmara no acto de se fazer a matrícula.

§ 2.º—Haverá uma matrícula para os veículos de tracção manual e animal e outra para os velocípedes, correspondente a cada uma delas uma série de numeração.

Art. 3.º—Os velocípedes terão colocados no travão da frente ou no lugar bem visível, uma placa com o respectivo número de matrícula, que será fornecida pela Câmara, mediante o respectivo custo.

Art. 4.º—Os velocípedes devem estar munidos de uma campainha e devem ser providos de dois travões independentes, cada um dos quais suficientemente eficaz para mobilizar o veículo e bem assim serão providos de uma luz branca fixa a frente e de uma luz ou stop light vermelho à retaguarda.

Art. 5.º—Os velocípedes deverão transitar o mais próximo possível das bermas ou passeios. Não podem seguir a par nem

pairs or pushed by any other vehicle; they will not be allowed to carry an extra passenger, with the exception of children with, no doubt, proper arrangement in the vehicle, in the urban zone of the City;

Art. 6 — No vehicle will be allowed to carry goods or any other articles namely drinks with soda gas;

Art. 7 — All other type of vehicles with more than two wheels and propelled by pedals, will be subject to this Bye-Law;

Art. 8 — When any vehicle is found moving with a registration number different from the original, the owner will be fined Rs. 10/-, additional to the payment of regular tax;

Art. 9 — Besides the conductor, the vehicles (bullock-carts and others) will not be allowed to carry other passengers;

Art. 10 — Each and every non-motorized vehicle must carry a light as stated in article 4 of this Bye-Law, soon after the sun-set;

Art. 11 — The transfer of the vehicles referred in article 1 of this Bye-Law as well as a change in address of the owners, should be participated within a period of 15 days to this Municipality, i. e. the place of original registration;

Art. 12 — Besides the Municipal Inspectors, the administrative authorities and the Police will be empowered to check the above Bye-Law;

Art. 13 — The breach of article 3 of the above Bye-Law will be fined at Re. 1/-; those of articles 4, 5, 9 and 10 a fine of Rs. 5/- and article 6 a fine of Rs. 10/- with an additional increment of 25% in case of recurrence.

This notice is published for the information of all concerned and similar notices will be fixed at usual places besides that in Government Gazette.

Panjim Municipality of Goa, 23rd November, 1966. — The President, *Anthony J. de Souza*.

ser rebocados por qualquer veículo, sendo-lhes igualmente vedado transportar, na zona urbana da cidade de Pangim, mais de uma pessoa, à excepção das crianças, desde que transportadas em dispositivo apropriado.

Art. 6.º — É expressamente proibido transportar por meio de velocípedes qualquer volume de mercadorias e outros, nomeadamente as garrafas de bebidas gasosas.

Art. 7.º — Consideram-se, para os efeitos desta Postura, velocípedes de duas ou mais rodas accionadas por pedais.

Art. 8.º — Quando sejam encontrados a transitar os veículos com o número diferente do seu número de matrícula, será o dono do veículo incurso na multa de 10 rupias, sem prejuízo de pagamento de taxa de circulação.

Art. 9.º — É expressamente vedado transportar as pessoas por meio de carroças ou outros veículos similares de tracção animal, podendo apenas ir uma pessoa sentada a conduzir.

Art. 10.º — Todo o veículo não motorizado é obrigado a trazer luz e que se refere o artigo 4.º desta Postura, logo após o pôr do sol.

Art. 11.º — A transferência da propriedade dos veículos referidos no artigo 1.º desta Postura, bem como a mudança de residência dos respectivos proprietários, deverão ser participadas, no prazo de 15 dias, a esta Câmara Municipal, em que tenha sido feita a respectiva matrícula.

Art. 12.º — Além dos zeladores da Câmara, são também competentes para fiscalização da presente Postura, as autoridades administrativas e policiais.

Art. 13.º — A infracção do artigo 3.º desta Postura será punida com a multa de 1 rupia; as dos artigos 4.º, 5.º, 9.º e 10.º com a multa de 5 rupias, e a do artigo 6.º com a multa de 10 rupias acrescidas de 25 por cento de repetição ou reincidência de cada uma das infracções dos referidos artigos.

E, para constar, se expediu este edital e outros de igual teor que vão ser afixados nos lugares de estilo, nos termos do artigo 419.º da R. A. U.

Paços Municipais de Goa, 23 de Novembro de 1966. — O Presidente, *Anthony J. de Souza*.

Education and Public Works

Public Works Department

Hydraulic and Irrigation

Works Division V

Tender notice no. H-16/66

The Principal Engineer P.W.D. Goa, Daman and Diu, invites on behalf of the President of India sealed item rate tenders from approved and eligible contractors of P.W.D./C.P.W.D. and those of approved list of M.E.S. up to 3 P.M. on 12th January 1967 for the following work, at Hydraulic and Irrigation — Works Division V.

Sr. No.	Name of work	Estimated cost of work	Earnest money	Period for completion of work	Tender fee
1.	Extension of Customs jetty at Panjim — II Phase	Rs. 7.16.978-90	Rs. 14.340/-	730 calendar days.	Rs. 50/-

Tenders will be opened at 3.30 p.m. the same day in the Office of the Principal Engineer.

Earnest money should be deposited in the State Bank of India and receipted chalan sent with the tender.

Conditions and tender forms can be had from Hydraulic and Irrigation — Works Division V, Panjim up to 5.30 p.m. on Saturdays and on working days respectively at the cost as mentioned above (non-refundable) up to 9th January, 1967.

The tender of the contractors who do not deposit earnest money in prescribed manner will be summarily rejected.

Educação e Obras Públicas

Serviços das Obras Públicas

Hidráulica e Irrigação

Secção de Obras V

Aviso n.º H-16/66

O Engenheiro-Chefe dos Serviços das Obras Públicas de Goa, Damão e Diu aceitará, em nome do Presidente da Índia, propostas em carta fechada e lacrada de empreiteiros aprovados e habilitados dos Serviços das Obras Públicas deste território e Serviços das Obras Públicas Centrais, bem como dos que figurem na relação de empreiteiros aprovados dos Serviços de Engenharia Militar, até 12 de Janeiro de 1967, para a execução da seguinte obra:

N.º de série	Designação da obra	Custo orçado da obra	Caução	Prazo para completar a obra	Custo dos impressos da proposta
1.	Extension of Customs jetty at Panjim — II Phase	Rps. 7.16.978-90	Rps. 14.340/-	730 calendar days.	Rps. 50/-

As propostas serão abertas às 15,30 horas do mesmo dia, na Repartição do Engenheiro-Chefe.

A caução deverá ser depositada no State Bank of India e a respectiva guia junta à proposta.

As condições e impressos da proposta poderão ser obtidos da Secção de Obras V, Hidráulica e Irrigação, Pangim, até às 17,30 horas, aos Sábados e em dias úteis, respectivamente, mediante pagamento do custo acima indicado (que não será restituído), até 9 de Janeiro de 1967.

As propostas dos empreiteiros que não tiverem depositado a caução da maneira acima indicada, serão sumariamente rejeitadas.

The Government reserves the right to reject the lowest or all the tenders without assigning any reason thereof.

Panjim, 19th November, 1966. — The Principal Engineer, B. R. Naique.

Finance Department

Departamento de Rendimentos e Impostos

Taluka Revenue Office, Panjim

Notice

The following goods have been attached by the Excise Inspector of Goa Taluka at the Steamer Jetty on the below mentioned dates and deposited in the Taluka Revenue Office (Excise) Panjim, as abandoned goods.

On 29th October, 1966:

One blue trunk containing 22 quarts of 750 mls. of Caju Feni;

One small green trunk containing 14 quarts of 750 mls. of Caju Feni.

Ten mps of Sovereign Brandy;

On 3rd November, 1966:

One green trunk containing 3 plastic containers each of 2 gallons containing Palmeira Feni;

One plastic container containing 23 quarts of Palmeira Feni;

Six quarts of Sovereign Brandy.

Any person/s having a right thereto may establish the same by adducing documental evidence to the Head of Taluka Revenue Office, Panjim, within a period of 30 days from the date of the publication of this notice in the Government Gazette.

If no claimant comes forward as aforesaid, the goods will be confiscated in favour of the Government.

Panjim, 24th November, 1966. — The Head of Taluka Revenue Office, Anandarao Sirodcar.

Taluka Revenue Office, Salcete

The following quantity of Indian made foreign liquor confiscated in favour of the Government will be auctioned in the premises of Taluka Revenue Office, Salcete at 11 a.m. on 15th December, 1966 to the bidder who offers the highest price.

Only the licence vendors will be allowed to participate in the auction.

Indian made foreign liquor:

1. Bisquit Brandy — 144 bottles of 85 mls.
2. Bisquit Brandy — 66 bottles of 170 mls.
3. Bisquit Brandy — 24 bottles of 340 mls.
4. Sovereign Brandy — 7 bottles of 180 mls.
5. Haywards Brandy — 86 bottles of 180 mls.

The successful bidder will have to pay Excise Duty leviable on the above quantity of liquor as well as the price immediately.

The Government however reserves the right to reject the bid without assigning any reasons thereof.

For further details please contact the Revenue Office of Salcete.

Margao, 17th November, 1966. — The Head of Taluka Revenue Office, Caetano de Gouveia Pinto.

Taluka Revenue Office, Sanguem

Notice

The unknown owners of 30 bottles marked «Pure Palm Fenni», manufactured by M/s Jack Souza Fefrao, Curchorem, Sanvordem, found abandoned at Molem on 30th August ul-

O Governo reserva para si o direito de rejeitar a proposta de menor valor ou todas as propostas sem ter que dar razões justificativas.

Pangim, 19 de Novembro de 1966. — O Engenheiro-Chefe, B. R. Naique.

Departamento das Finanças

Department of Revenue and Taxes

«Taluka Revenue Office, Panjim»

Aviso

Faz-se público que foram apreendidos os artigos contendo country liquor em datas abaixo mencionadas, perto da Alfândega de Pangim, e depositadas pelo Excise Inspector no Taluka Revenue Office, Pangim, como mercadoria abandonada.

No dia 29 de Outubro de 1966:

Uma mala azul contendo 22 quarts de 750 mls de Caju Feni;

Uma mala (pequena) verde contendo 14 quarts de 750 mls de Caju Feni;

Dez nips de Sovereign Brandy.

No dia 3 de Novembro de 1966:

Uma mala verde contendo 3 garrações plásticas, contendo cada 2 galões de Caju Feni;

Um garrafão plástico contendo 23 quarts de Palmeira Feni;

Seis quarts de Sovereign Brandy.

Qualquer pessoa que tenha direito aos mesmos artigos deverá no prazo de 30 dias a contar da publicação deste aviso no *Boletim Oficial*, apresentar-se nesta Repartição com os documentos comprovativos da prova sob pena de não havendo qualquer reclamação dentro do mesmo prazo, os mesmos artigos serem considerados confiscados a favor do Estado.

Pangim, 24 de Novembro de 1966. — O Chefe da Repartição, Anandarao Sirodcar.

«Taluka Revenue Office, Salsete»

Faz-se público que no dia 15 de Dezembro seguinte, às 11 horas, no recinto «Taluka Revenue Office» de Salcete, será vendida em hasta pública a seguinte quantidade de vinhos estrangeiros de fábrica indiano, confiscado a favor do Governo.

Poderão concorrer a praça só os vendedores licenciados de bebidas alcoólicas.

Indian made foreign liquor:

1. Bisquit Brandy — 144 bottles of 85 mls.
2. Bisquit Brandy — 66 bottles of 170 mls.
3. Bisquit Brandy — 24 bottles of 340 mls.
4. Sovereign Brandy — 7 bottles of 180 mls.
5. Haywards Brandy — 86 bottles of 180 mls.

O concorrente cujo lance for aceite terá de pagar o valor do seu lance e bem assim o Excise Duty, imediatamente.

O Governo reserva para si o direito de rejeitar qualquer lance sem dar justificações.

Quaisquer esclarecimentos poderão ser obtidos no «Taluka Revenue Office» de Salsete.

Margão, 17 de Novembro de 1966. — O Chefe da Repartição, Caetano de Gouveia Pinto.

«Taluka Revenue Office, Sanguem»

Aviso

Faço saber que por esta Repartição correm éditos de 30 dias, contados da publicação deste no *Boletim Oficial*, notificando os donos desconhecidos para aduzirem os seus direitos

time, in the bus no. GDT, 1562 plying Margao to Belgaum, are hereby intimated to claim their right within 30 days from the date of publication of this notice in the Government Gazette.

After the expiry of the aforesaid time limit, the bottles shall be considered as forfeited to the Government.

Sanguem, 24th November, 1966. — The Head of Taluka Revenue Office, *Ferdinando S. Esteves*.

Law Department

Office of the Chief Electoral Officer

Notice

ELN/STN/66/1349

On behalf of the President of India sealed tenders are invited for the following articles for the ensuing for General Elections on the conditions mentioned below:

Name of the articles	Total requirements
1) Self Inking pad Violet	550
2) Self Inking pad Red	1100
3) Rubber Stamps for marking ballot paper	2000
4) Pushers i. e. iron strips	350
5) Match boxes	1100
6) Flexible wire	500 yards
7) Empty cigarette tins for putting indelible ink bottle	500
8) Gunny bags	1100
9) Strong sharp needle	4 dozens
10) Sponge	100
11) Metal seals for Presiding Officers	80
12) Blades	450

1) The quotations to be given should be for each item along with the sample and the tenderer should also note whether he is in a position to supply the requisite number of articles.

2) The articles should be delivered in the office of the Chief Electoral Officer, Panjim or such other place in the vicinity of Panjim town where the Chief Electoral Officer directs on or before 26-12-1966 as per sample produced along with the tender.

3) Every tender should be accompanied by a receipted chalan of Rs. 25/- as earnest money of any Government Treasury in Goa under the head «T—Deposits and Advances — Part II Dep: not bearing interest — Revenue Deposits», so far as persons offering tenders from outside Goa are concerned, they may in the alternative enclose a demand draft of the said amount in favour of Chief Electoral Officer, Government of Goa, Daman and Diu, Panjim payable at the Branch office of the State Bank of India at Panjim. This amount will be refunded to those whose tenders are not accepted.

4) The suppliers whose tenders are accepted will be required to execute an agreement with the Government and make a deposit of an amount equal to 10% of the cost of the articles entrusted to be supplied to them subject to minimum of Rs. 50/-.

5) The tenders addressed to the Chief Electoral Officer and Secretary, Law Department, should be sent or delivered so as to reach in the office of the Chief Electoral Officer, Panjim on or before 13-12-1966 by 12 noon. The envelope containing the tender should be marked clearly as «Tender for Supply of articles for Elections». The tenders will be opened on 13-12-1966 at 3 p. m. on the same date.

6) The right to accept or reject any or all the tenders received without assigning any reason, is reserved by the undersigned. Further details can be had from the office of

a 30 garrafas de «Pure Palm Fenni», fabricado por M/s Jack Souza Ferrão, Curchorém, Sanvordém, abandonadas em Molém, no dia 30 de Agosto último, no auto carro n.º GDT 1562, de Margão-Belgão, sob a pena de as mesmas garrafas serem perdidas a favor do Estado.

Sanguém, 24 de Novembro de 1966. — O Chefe da Repartição, *Ferdinando S. Esteves*.

Departamento de Justiça

Repartição do Official Eleitoral Chefe

Aviso

ELN/STN/66/1349

Em nome do Presidente da India, serão aceites propostas em carta fechada e lacrada para o fornecimento dos seguintes artigos para as próximas eleições gerais, sujeitas às condições abaixo mencionadas:

Descrição dos artigos	Quantidade total necessária
1) Almofadas para carimbos com tinta de cor violeta	550
2) Almofadas para carimbos com tinta vermelha	1100
3) Carimbos de borracha para marcar as listas de votos	2000
4) Empurradores, isto é, cintas de metal	350
5) Caixas de fósforos	1100
6) Arame flexível	500 jardas
7) Latas de cigarros vazias para meter tinteiros de tinta indelível	500
8) Sacas de juta	1100
9) Agulhas fortes e afiadas	4 dúzias
10) Esponjas	100
11) Selos de metal para os oficiais que presidem	80
12) Lâminas	450

1) Os preços a serem indicados, serão por cada artigo, acompanhado de amostras, devendo o concorrente assegurar-se se está em condições de fornecer a quantidade de artigos necessária.

2) Os artigos deverão ser entregues na Repartição do Official Eleitoral Chefe, em Pangim, ou em qualquer outra localidade, nas imediações de Pangim, que venha a ser indicada pelo mesmo, até 26 de Dezembro de 1966, conforme a amostra enviada juntamente com a proposta.

3) As propostas deverão vir acompanhadas da guia do depósito de Rps. 25/-, como caução, em qualquer tesouraria do Governo em Goa, sob a rubrica «E—Deposits and Advances — Part II Dep: not bearing interest — Revenue Deposits». No que respeita aos concorrentes de fora de Goa, os mesmos poderão, na alternativa, enviar uma ordem de pagamento pela mesma importância, a favor do Official Eleitoral Chefe do Governo de Goa, Damao e Diu e pagável na sucursal do State Bank of India em Pangim. A importância acima referida será restituída aos concorrentes cujas propostas não forem aceites.

4) Os concorrentes cujas propostas forem aceites terão de assinar um contrato com o Governo e efectuar o depósito da importância correspondente a 10 por cento do custo dos artigos que os mesmos tiverem de fornecer, sujeito ao mínimo de Rps. 50/-.

5) As propostas, endereçadas ao Official Eleitoral Chefe e Secretário do Departamento de Justiça, deverão ser enviadas ou entregues na Repartição do Official Eleitoral Chefe, em Pangim, até às 12 horas de 13 de Dezembro de 1966. O envelope contendo a proposta deverá estar sobrescritado «Proposta para o fornecimento de artigos para as eleições». As propostas serão abertas às 15 horas do mesmo dia.

6) O signatário reserva para si o direito de aceitar ou rejeitar qualquer ou todas as propostas, sem ter de dar razões justificativas. Para mais informações os interessados poderão dirigir-se à Repartição do Official Eleitoral Chefe, em

the Chief Electoral Officer, Panjim during office hours on any working day.

P. B. Venkatasubramanian, Chief Electoral Officer and Law Secretary.

Panjim 24th November, 1966.

Advertisements

Administration Office of the Comunidades of Bardez

Notice

In accordance with the terms and for the purpose established in the article 330 of the Code of Comunidades in force, it is announced that Sebastião Roque da Cunha, of Moira, has applied on lease for the appendage of his house, an uncultivated and unused land, without special denomination, belonging to the Comunidade of Moira, covering an area probably of 150 sq. m., it is bounded on east by lane of the Comunidade, on west and north by the reserved streets of the Comunidade and on south by leased land of the petitioner. File no. 161/1966.

Mapusa, 27th October, 1966. — The Secretary, *Mangueza Ragobá Sinai Quencro*.

V. no. 343/1966

Civil Registration Office of Margão

2 Inacio Santana Lizardina Gracias, bachelor, resident in Chinchinim, desires to change his name into Renato Gracias. Any person having objections is invited to file it in terms of no. 3 of article 178 of Civil Registration Code, within 30 days.

Margao, 22nd November, 1966. — The Conservator, *Norberto Carvalho*.

V. no. 342/1966

The Goa Urban Co-operative Bank Ltd. Panjim

2nd Notice

3 It is hereby announced for due purpose, that Sundarabai Pandit, resident of Siridão, the hereditary widow of late subscriber of 3rd grade class A, no. 711, Ananta Atmarama Pandit, requested to this Bank the payment of allowances and bonus, to which he was entitled. Therefore, all those who think they are entitled to the same amount, should submit their petitions to this Office, within 30 days from publication of this notice in the Government Gazette.

Panjim, 26th November, 1966. — The Manager, *G. B. Sathe*.

V. no. 346/1966

«Comunidades»

Amona of Bicholim

4 On the 2nd Sunday after the publication of this notice in the Government Gazette, at 11 a. m. at its meeting place, an auction will be held of the coconut-trees of Maencantor for the price of Rs. 34/- indicated in his estimate, for every year and period from 1967 to 1969. In accordance with the decision of the managing committee of the Comunidade, which is approved by Government, earlier.

Amona, 20th November, 1966. — The Clerk in charge, *Xamba Roulu Sinai Amoncar*.

V. no. 341/1966

Cotombi

5 The abovementioned Comunidade is convened for a meeting in its Meeting Hall, on the 3rd Sunday, after the publication of this notice in the Government Gazette at 10 a. m. in order to resolve on the attribution of the grade «R», from the map no. 2 annexed to the Code of Comunidades in force, to the 2nd grade clerk of the Comunidades of Quepem Taluka.

Cotombi, 17th November, 1966. — The Clerk, *Ganaxama Govinda Sinai Sirvoicar*.

V. no. 345/1966

Pangim, em todos os dias úteis, durante às horas regulamentares de serviço.

P. B. Venkatasubramanian, Oficial Eleitoral Chefe e Secretário de Justiça.

Pangim., 24 de Novembro de 1966.

Anúncios

Administração das Comunidades de Bardês

Anúncio

Nos termos e para os fins do disposto no artigo 330.º do vigente Código das Comunidades, se anuncia que Sebastião Roque da Cunha, de Moirá, pretende em aforamento para serventia da sua casa, um terreno inculto e desaproveitado, sem denominação especial, pertencente a comunidade de Moirá, na área de 150 m², aproximadamente, e se confronta de nascente com o bôco da comunidade, poente e norte com os caminhos reservados da comunidade e sul com o aforamento do requerente. Processo n.º 161/1966.

Mapuçé, 27 de Outubro de 1966. — O Secretário, *Mangueza Ragobá Sinai Quencro*.

G. n.º 343/1966

Conservatória do Registo Civil de Margão

2 Inácio Santana Lizardina Gracias, residente em Chinchinim, desejando mudar o seu nome para Renato Gracias, são por isso convidados as pessoas interessadas que queiram opor-se à sua pretensão para fazer no prazo de 30 dias a contar da publicação deste no *Boletim Oficial*, nos termos do n.º 3 do artigo 178.º do Código do Registo Civil.

Margão, 22 de Novembro de 1966. — O Conservador, *Norberto Carvalho*.

G. n.º 342/1966

«The Goa Urban Co-operative Bank Ltd. Pangim»

2.º Anúncio

3 Para os devidos efeitos se anuncia que Sundarabai Pandit, residente em Siridão, na qualidade de viúva herdeira do sócio n.º 711 do 3.º grau da classe A, Ananta Atmarama Pandit, requiere o pagamento do crédito e bônus a que tem direito, com formalidades legais. Quem julgar com direito ao mesmo o aduza perante a Comissão Executiva deste Banco, no prazo de 30 dias, contados da publicação deste no *Boletim Oficial*.

Pangim, 26 de Novembro de 1966. — O Gerente, *G. B. Sathe*.

G. n.º 346/1966

Comunidades

Amonã de Bicholim

4 No segundo domingo após a publicação deste no *Boletim Oficial*, será levada à praça no local das sessões da comunidade, pelas 11 horas, a avença das palmeiras, Maencantor, pelo preço do seu cálculo Rps. 34/- por cada ano do período de 1967 a 1969, conforme a deliberação da junta administrativa mantida superiormente.

Amonã, 20 de Novembro de 1966. — O Escrivão encarregado, *Xamba Roulu Sinai Amoncar*.

G. n.º 341/1966

Cotombi

5 É convocada a sobredita comunidade, para se reunir nas casas das suas sessões, no terceiro domingo após a publicação deste anúncio no *Boletim Oficial*, pelas 10 horas, a fim de deliberar sobre a atribuição da letra «R», constante do mapa n.º 2 do vigente Código das Comunidades, ao auxiliar de 2.ª classe das comunidades do concelho de Quepem.

Cotombi, 17 de Novembro de 1966. — O Escrivão, *Ganaxama Govinda Sinai Sirvoicar*.

G. n.º 345/1966

«Devalaia»

Xri Deus Manguesh of Priol

6 An extraordinary meeting of the Mahajans of the abovesaid Devalaia is convened on the 3rd Sunday after the publication of this advertisement in Government Gazette, at 11 a.m., at usual place, in order to deliberate on the following:

- (a) Payment of the amount of Rs. 2290/- to the Committee in Charge of the Conservation of Bunds;
- (b) Application of Mangesh Krishna Deuli and others, for the increment of salary;
- (c) Application of Shamba Gaissas, Purohit, for the increment of amount in festivities of his charge;
- (d) Executive procedure against Siurama Vitoba Sinai Cundoar of Priol.

7 After the publication of this notice in the Government Gazette on 2nd Sunday, at 11 a.m. in the Meeting Hall once again auction will be held for the period of six years of the two remaining plots of «Predio Palmar Combarjua, lots nos. 1 and 2» according to the conditions and the respective prices approved by the higher authorities.

Manguesh of Priol, 20th November, 1966. — The Clerk, *Babi Hari Sinai Lada*.

Visa. — The President, *Quexova Sinai Mulgãocar*.

V. no. 344/1966

Devalaia

Xri Deus Manguexa de Priol

6 É convocada a sessão extraordinária da mazania da sobredita Devalaia, no terceiro domingo após a publicação deste anúncio no *Boletim Oficial*, às 11 horas, no local do costume, a fim de deliberar sobre o seguinte:

- (a) Pagamento da importância de 2290 rupias a comissão dos valados;
- (b) Petição de Manguexa Crisna Deuli e outros, sobre o aumento do salário;
- (c) Petição de Xambá Goissás, puroito, sobre o aumento da importância nas festividades a seu cargo;
- (d) Processo de execução administrativa de Siurama Vitobá Sinai Conencar, de Priol.

7 No segundo domingo, após a publicação deste aviso no *Boletim Oficial*, pelas 11 horas, e no local das sessões, serão levadas novamente em hasta pública para o período de seis anos, as restantes duas avenças dos lotes n.º 1 e 2 do prédio Palmar «Combarjua», nos termos de condições e preço do cálculo, superiormente aprovados.

Manguexa de Priol, 20 de Novembro de 1966. — O Escrivão, *Babi Hari Sinai Lada*.

Visto. — O Presidente, *Quexova Sinai Mulgãocar*.

G. n.º 344/1966